

REMARKS

Entry of the foregoing and still further reexamination and reconsideration of the subject application, as proposed to be amended, pursuant to and consistent with 37 C.F.R. §1.116, are respectfully requested in light of the remarks that follow.

The acknowledgments of the claim for foreign priority, the certified copy, and the Information Disclosure Statement filed October 26, 2004 are noted, with appreciation.

The foregoing amendment to the specification recites the abandoned status of the parent application, as required by the Examiner.

By the foregoing amendment, Claims 21-24 are proposed to be cancelled and Claims 25-28 are proposed to be rewritten as independent claims which do not contain the language previously responsible for their rejection under 35 U.S.C. §112, second paragraph. These amendments are believed to clearly place the claims in allowable form. At the very least, the amendments simplify issues for appeal.

Claims 21-24 have again been rejected under 35 U.S.C. §112, first paragraph, as purportedly failing to comply with the written description requirement. While applicants do not agree with the Examiner's position, they have nevertheless proposed to cancel Claims 21-24, without prejudice or disclaimer, in order to expedite prosecution. Applicants of course reserve the right to file a continuing application to pursue the cancelled subject matter. This cancellation of Claims 21-24 obviates the record 35 U.S.C. §112, first paragraph rejection thereagainst.

Claims 22-28 have been rejected under 35 U.S.C. §112, second paragraph, as purportedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regards as the invention. Claims 22-24 have

been proposed to be cancelled hereinabove, thus obviating this rejection with respect to those claims. As to Claims 25-28, the Examiner will note that these claims as proposed to be amended above no longer contain the expression "the dermatological condition comprises". Thus, upon entry of this amendment, the rejection becomes moot with respect to those claims.

The Examiner has indicated that the subject matter of Claims 25-28 is allowable, since those claims are not subjected to the written description and enablement rejection of 35 U.S.C. §112, first paragraph. As noted above, Claims 25-28 have been rewritten to overcome the 35 U.S.C. §112, second paragraph rejection. Further, these claims have now been rewritten as independent claims. Claims 25-26, which previously depended from Claim 23, now contain the appropriate language from Claim 23 so that they are proper independent claims. Claims 27-28, which previously depended from Claim 24, now contain the appropriate language from Claim 24 so that they too are proper independent claims.

In view of the remarks above, it is believed that the foregoing amendment places this application in condition for allowance. Entry of the amendment and allowance of Claims 25-28 as amended are believed to be in order and are earnestly solicited. If any matters remain unresolved, the Examiner is requested to telephone the undersigned so that these matters can be promptly addressed.

Respectfully submitted,

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